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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

NEWSTAR CHEMICALS (M) SDN  
BHD., a Malaysian private limited  
company, NEWSTAR HOLDINGS PTE  
LTD., a Singaporean private limited  
company, and RANDALL HART

Plaintiffs,

v.

MEGOLA, INC., a Nevada Corporation,  
and DOES 1 through 500,

Defendants.

Case No. 2:11-CV-926-GMN-(RJJ)

**PLAINTIFFS' OPPOSITION TO  
DEFENDANT'S MOTION FOR  
EXTENSION OF TIME AND  
ADJOURNMENT OF JULY 7  
HEARING DATE**

Plaintiffs Newstar Chemicals (M) SDN BHD., Newstar Holdings PTE LTD., and Randall Hart (“Plaintiffs”), by and through undersigned counsel, oppose the motion for extension of time and adjournment of the July 7 hearing date by Defendant Megola, Inc. (“Megola.”)

Megola fundamentally misconstrues Plaintiffs’ motion and the purpose of the July 7, 2011 hearing date. Plaintiffs have moved for a preliminary injunction to stop Megola from intentionally making damaging statements and infringing Plaintiffs’ trademark rights in AF21, the fire-inhibitor product that Plaintiff Randall Hart invented. Megola has demonstrated that it will continue to damage Plaintiffs’ reputation and that of AF21 without court intervention. Megola and its attorneys have been on notice regarding these issues for months, and have had Plaintiffs’ briefing on these issues since May 20, 2011, when Plaintiffs filed their first motion for a preliminary injunction in the United States District Court for the Southern District of New York.

Contrary to Megola’s assertion, the New York action was dismissed so it could be re-filed in Nevada, because the New York federal court questioned its jurisdiction over Megola, a Nevada corporation. This should not be an issue before this Court and Defendants may oppose Plaintiffs’ motion. Plaintiffs’ counsel is unclear as to Defendant’s purpose in raising the New York jurisdictional issue which has no bearing on Megola’s motion for an extension of time.

Defendants should respond to Plaintiffs' motion for preliminary injunction by July 1, 2011. Defendants have provided no basis to further delay their response to this motion to until July 19, 2011.<sup>1</sup>

Finally, the July 7, 2011 hearing date is for the purpose of scheduling briefing in the matter, and there is no reason to adjourn that hearing. The fact that Megola has indicated it is prepared to file a responding brief by July 19, 2011, while not requesting any discovery, supports Plaintiffs' position that a short briefing schedule is warranted for Plaintiffs' request for a permanent injunction. At the July 7 hearing, Plaintiffs will request the Court to schedule the hearing for this matter during the first week of August, 2011.

Accordingly, Plaintiffs request the Court to deny Defendants' request for an extension of time and adjournment of the July 7 hearing date. In the alternative, Plaintiffs request the Court to provide Defendants a 4 day extension, from July 1 to July 5, and maintain the July 7, 2011 hearing date.

Dated: June 23, 2011

/s/  
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<sup>1</sup> Defendants incorrectly ask for an extension to "*June* 19, 2011." If Defendants mean *July* 19, that would be 19 additional days, not 14 as Defendants state in their motion.

/s/

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**Certificate Of Service**

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that I am an employee of Schiff Hardin LLP and that on this 23<sup>rd</sup> day of June, 2011, I caused the foregoing document entitled PLAINTIFFS' OPPOSITION TO DEFENDANT'S MOTION FOR EXTENSION OF TIME AND ADJOURNMENT OF JULY 7 HEARING DATE, to be served via the Court's CM/ECF system to the following counsel of record for Defendant Megola, Inc:

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